

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

In re:

THE FINANCIAL OVERSIGHT AND MANAGEMENT BOARD
FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO, *et al.*,
Debtors.¹

PROMESA
Title III

No. 17 BK 3283-LTS

(Jointly Administered)

ORDER ON PENSIONS DISCOVERY MOTIONS

This matter is before the Court on the *Seventh Joint Status Report of Movant Ambac Assurance Corporation and Respondents The Financial Oversight and Management Board for Puerto Rico, The Commonwealth of Puerto Rico, and the Puerto Rico Fiscal Agency and Financial Advisory Authority, with Respect to the Pensions Discovery Motions* (Dkt. No. 12839) (the “Joint Status Report”) and the *Joint Urgent Motion by Ambac Assurance Corporation, The Financial Oversight and Management Board for Puerto Rico, The Commonwealth of Puerto Rico, and the Puerto Rico Fiscal Agency and Financial Advisory Authority, Seeking An Order Granting an Adjournment of the Hearing on the Pensions Discovery Motions* (Dkt. No. 12840) (the “Joint

¹ The Debtors in these Title III Cases, along with each Debtor’s respective Title III case number and the last four (4) digits of each Debtor’s federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (the “Commonwealth”) (Bankruptcy Case No. 17-BK-3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation (“COFINA”) (Bankruptcy Case No. 17-BK-3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority (“HTA”) (Bankruptcy Case No. 17-BK-3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS”) (Bankruptcy Case No. 17-BK-3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority (“PREPA”) (Bankruptcy Case No. 17-BK-4780-LTS) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority (“PBA”) (Bankruptcy Case No. 19-BK-5523-LTS) (Last Four Digits of Federal Tax ID: 3801) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations.

Motion”).²

Therein, the movant and respondents to two motions for discovery under Federal Rule of Bankruptcy Procedure 2004 (Dkt. Nos. 7505 and 7507) (together, the “Pensions Discovery Motions”) ask the Court to adjourn the hearing date on the Pensions Discovery Motions from April 22, 2020 to the June Omnibus Hearing, scheduled to take place on June 3, 2020 in order to facilitate meet and confer efforts.

The Pensions Discovery Motions were filed on July 18, 2019. (Dkt. Nos. 7505 and 7507). The Parties have subsequently requested to adjourn the hearing on the Pensions Discovery Motions seven times in order to facilitate meet and confer efforts and in hopes of narrowing any open disputes. (See Joint Status Report ¶ 2). The Court has allowed all such requests. (See id.). In the Joint Status Report, the Parties represent that progress is being made and propose submitting a further status report by May 29, 2020. (Id. ¶ 8). The Parties further represent that Ambac is considering withdrawing the Pensions Discovery Requests prior to the June Omnibus hearing given the progress made by the Parties to date. (Id. ¶ 10).

Taking note of the agreement among the parties and finding good cause for the requested relief, the Court hereby adjourns the hearing on the Pensions Discovery Motions to the June Omnibus Hearing, scheduled to take place on **June 3, 2020** in San Juan, Puerto Rico. The parties shall submit a joint status report to the Court on the remaining issues for adjudication on or before **5:00 p.m. AST on May 28, 2020**.

This order resolves Dkt. Nos. 12839 and 12840.

² Capitalized terms not defined in this Order shall have the meanings given to them in the Joint Motion.

SO ORDERED.

/s/ Judith Gail Dein

Judith Gail Dein

United States Magistrate Judge

DATED: April 17, 2020